

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

ARATEX, LLC,

Plaintiff,

V.

JACK IN THE BOX, INC. and JACK IN
THE BOX EASTERN DIVISION LP,

Defendants, Third-Party Plaintiffs,

V.

ANIL S. YADAV, ATOUR EYVAZIAN,
VANDANA YADAV, SAN-TEX
RESTAURANTS, INC., and SUNOCO, LLC

Third-Party Defendants.

[illegible]

Case No. 5:20-cv-00809-XR

**JOINT NOTICE OF PENDING SETTLEMENT
AND MOTION TO STAY ALL DEADLINES**

TO THE HONORABLE COURT:

Plaintiff Aratex, LLC (“Aratex”); defendants Jack in the Box, Inc. and Jack in the Box Eastern Division LP, and intervenor Different Rules, LLC (all, collectively, “JIB”); third-party defendants Anil S. Yadav, Atour Eyvazian, Vandana Yadav, and San-Tex Restaurants, Inc. (collectively, “San-Tex”); third-party defendant Sunoco, LLC, as successor in interest to Susser Petroleum Operating Company, LLC (“Sunoco”); and third-party defendants Four Patriots, LLC, Shama Mithana, Rahim Kachchhi, and Mohamad Mithana (collectively, “Four Patriots”), pursuant to the Court’s Amended Scheduling Order [Dkt. 63], respectfully submit this Joint Notice of Pending Settlement and Motion to Stay All Deadlines and would respectfully show as follows:

1. The Court entered the Amended Scheduling Order in this matter on June 21, 2021. [Dkt. 63] The Amended Scheduling Order requires notification to the Court if settlement is reached.

2. The parties have reached a settlement in principle in this matter, pending the agreement to the form of final settlement agreement. Given the number of parties to this dispute, however, finalizing the settlement agreement may take some time.

3. The parties, therefore, request the Court stay all pending deadlines and remove this matter from its trial docket, pending final settlement between the parties and, after such, formal dismissal of this lawsuit.

WHEREFORE, PREMISES CONSIDERED, the Parties respectfully provide this Joint Notice of Pending Settlement and pray that the Court grant this Joint Motion to Stay All Deadlines and enter the proposed order submitted herewith, and that the Court grant the Parties any such further relief to which they may be justly entitled.

Date: October 11, 2021

Respectfully submitted,

/s/ Forrest M. "Teo" Seger III

FORREST M. "TEO" SEGER III

Texas Bar No. 24070587

tseger@clarkhill.com

CLARK HILL PLC

2301 Broadway St.

San Antonio, Texas 78215-1157

(210) 250-6000

(210) 250-6100 (Fax)

ATTORNEYS FOR PLAINTIFF

ARATEX, LLC

/s/ Brant C. Martin

Brant C. Martin

Attorney-in-charge

State Bar No. 24002529

brant.martin@wickphillips.com

Charles C. Keeble, Jr.

Pro hac vice admitted

State Bar No. 1115010

charles.keeble@wickphillips.com

**WICK PHILLIPS GOULD & MARTIN,
LLP**

100 Throckmorton Street, Suite 1500

Fort Worth, Texas 76102

Telephone: (817) 332-7788

Facsimile: (817) 332-7789

ATTORNEYS FOR DEFENDANTS

/s/ William J. Eggleston, IV

David W. Smith

State Bar No. 24027868

dws@egglestonbriscoe.com

William J. Eggleston, IV

State Bar No. 24063853

Federal Bar No. 3016881

will@egglestonbriscoe.com

EGGLESTON & BRISCOE, LLP

4800 Three Allen Center

333 Clay Street

Houston, Texas 77002

713.659.5100

713.951.9920 – fax

ATTORNEYS FOR THIRD-PARTY

DEFENDANTS ANIL S. YADAV,

ATOUR EYVAZIAN, VANDANA

YADAV, AND SAN-TEX

RESTAURANTS, INC.

/s/ Lauren A. Valkenaar

Lauren A. Valkenaar

Texas Bar No. 24088570

Greta S. McFarling

Texas Bar No. 24051024

Adrianna L. Jimenez

Texas Bar No. 24110050

**CHASNOFF MUNGIA VALKENAAR
PEPPING & STRIBLING, LLP**

1020 N.E. Loop 410, Suite 150

San Antonio, Texas 78209

Telephone: 210-469-4155

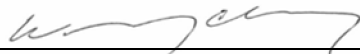
Facsimile: 210-855-9696

Email: lvalkenaar@chasnoffstribling.com

Email: gmcfarling@chasnoffstribling.com

Email: ajimenez@chasnoffstribling.com

**COUNSEL FOR THIRD-PARTY
DEFENDANT SUNOCO, LLC AS
SUCCESSOR IN INTEREST TO SUSSER
PETROLEUM OPERATING COMPANY,
LLC**


WILLIAM J. CLAY
State Bar No. 04332425
VANESSA MARTINEZ
State Bar No. 24096987
KIRK D. WILLIS
State Bar No. 21648500

THE WILLIS LAW GROUP
1985 Forest Lane
Garland, Texas 75042
Tel: (214) 736-9433
Fax: (214) 736-9994
E-Service: service@thewillislawgroup.com

**ATTORNEYS FOR THIRD-PARTY
DEFENDANTS, FOUR PATRIOTS,
LLC, SHAMA MITHANA, RAHIM
KACHCHHI, AND MOHAMAD
MITHAN**

CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2021, a true and correct copy of the foregoing *Joint Notice of Pending Settlement and Motion to Stay All Deadlines* was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following counsel of record:

Charles C. Keeble, Jr. charles.keeble@wickphillips.com
Brant C. Martin brant.martin@wickphillips.com
Wick Phillips Gould & Martin, LLP
100 Throckmorton Street, Suite 1500
Fort Worth, Texas 76102
*Attorneys for Defendants, Jack in the Box, Inc.
And Jack in the Box Eastern Division, LP*

Lauren A. Valkenaar lvalkenaar@chasnoffstribling.com
Greta S. McFarling gmcfarling@chasnoffstribling.com
Adrianna L. Jimenez ajimenez@chasnoffstribling.com
Chasnoff Mungia Valkenaar Pepping & Stribling, LLP
1020 N.E. Loop 410, Suite 150
San Antonio, Texas 78209
*Attorney for Third-Party Defendant, Sunoco, LLC
as successor in interest to Susser Petroleum Operating Company, LLC*

William J. Eggleston, IV
Eggleston & Briscoe, LLP
4800 Three Allen Center
333 Clay Street
Houston, Texas 77002

will@egglestonbriscoe.com

*Attorney for Third-Party Defendants, Anil S. Yadav, Atour Eyvazian,
Vandana Yadav, and San-Tex Restaurants, Inc.*

William J. Clay
Carin “CJ” Evans
Kirk D. Willis
The Willis Law Group
1985 Forest Lane
Garland, Texas 75042

service@thewillislawgroup.com
service@thewillislawgroup.com
service@thewillislawgroup.com

*Attorneys for Third-Party Defendants, Four Patriots, LLC,
Shama Mithana, Rahim Kachchhi, and Mohamad Mithana*

/s/ Forrest M. “Teo” Seger III

Forrest M. “Teo” Seger III